

**DECLARATION, POWER OF ATTORNEY AND PETITION**

I, Phillip M. Adams, declare: that I am a citizen of the United States of America; that my residence and post office address is 313 Pleasant Summit Drive, Henderson, Nevada 89012; that I verily believe I am the original, first, and sole inventor of the subject matter of the invention or discovery entitled COUNTER-INVASIVE SOFTWARE SYSTEM AND METHOD, for which a patent is sought and which is described and claimed in the specification in the patent application filed on December 31, 2002 as Serial No. 10/335,132; that I have reviewed and understand the contents of the above-identified specification, including the claims; and that I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Section 1.56 of Title 37 of the Code of Federal Regulations.

This application is a continuation-in-part of U.S. patent application Serial No. 09/969,176 filed October 1, 2001, and entitled COMPUTERIZED PRODUCT IMPROVEMENT APPARATUS AND METHOD, now pending. Insofar as the subject matter of the claims of these applications are not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability as defined in Section 1.56 of Title 37 of the Code of Federal Regulations, which became available between the filing date of the earlier filed application and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as my attorneys A. John Pate, Gary D.E. Pierce, Hal D. Baird, David B. Fonda, Gordon K. Hill, and Daniel P. Nelson, Registration Nos. 36,234, 38,019, 42,284, 39,672, 48,664, and 52,063, respectively, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence and telephonic communications should be directed to:

A. John Pate  
PATE PIERCE & BAIRD  
Parkside Tower  
215 South State Street, Suite 550  
Salt Lake City, Utah 84111

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Salt Lake City, Utah on this 29<sup>TH</sup> day of APRIL, 2003.

Inventor Phillip M. Adams  
Phillip M. Adams  
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